

13.11.2025

Court No.35.

D/L. 57.

Kausik

(Allowed)

CRM (M) 2276 of 2025

In Re: An Application for bail under section 439 (1)(b) of the Code of Criminal Procedure 1973/Section 483 (1) (b) of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dumdum Police Station Case No. 149 of 2025 dated 16.05.2025 under Sections 103/238 of the BNS, 2023.

And

In the matter of : Soumik Pal @ Soumik Paul @ Tubai

.....Petitioner.

Mr. Amitava Karmakar
Mr. Dhananjay Banerjee
Mr. Arup Kumar Bhowmick
Mr. Pralay Hazra

.....for the Petitioner.

Mr. Madhusudan Sur, Ld. Adl. PP
Mr. Nirupam Dhali

....for the State.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 173 days and the investigation of the case has already been concluded. As such on any stringent condition petitioner may be released on bail.

Learned advocate for the State has produced the case diary and drawn the attention of the Court to the different statements which are appearing against both the accused persons.

I have considered the complicity of the present petitioner which is distinguishable from the other accused.

So far as the present petitioner is concerned, the present petitioner's participation is for the offence so committed and is restricted to removal of the body of the deceased. So far

as the conspiracy in respect of offence of murder is concerned, the same is lacking so far as the present petitioner is concerned.

Consequently, I am of the view that the present petitioner is on a different situational circumstance so far as the case is concerned from the other accused who is in custody.

Consequently, the prayer for bail of the petitioner is allowed.

Petitioner, namely **Soumik Pal @ Soumik Paul @ Tubai**, shall furnish bond of Rs. 20,000/- (Twenty Thousand Only) with two sureties of Rs. 10,000/- (Rupees Ten Thousand Only) each. One of whom must be local to the satisfaction of the learned ACJM, Barrackpore.

If on bail, the petitioner shall meet with the Investigating Officer of the case once in a fortnight till the case is committed to the Court of Sessions.

Accordingly, CRM (M) 2276 of 2025 is allowed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)